

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

RAYMOND JAMES & ASSOCIATES, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 2:18-cv-02104-JTF-tmp
)	
50 NORTH FRONT ST. TN, LLC,)	
)	
Defendant.)	

PLAINTIFF’S MOTION FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT

Plaintiff Raymond James & Associates, Inc. (“Raymond James”), pursuant to Rules 15 and 16 of the Federal Rules of Civil Procedure, respectfully submits this Motion for Leave to File a Second Amended Complaint (the “Motion for Leave”). For the reasons set forth in Raymond James’s Brief in Support of Plaintiff’s Motion for Leave to File a Second Amended Complaint (the “Brief”), being filed contemporaneously herewith and incorporated here by reference, Raymond James respectfully submits that the Motion for Leave should be granted and that Raymond James should be given leave to file the Second Amended Complaint attached as **Exhibit 1** to the Brief. A proposed Order granting the requested relief will be sent by email to the Court’s CM/ECF inbox.

Respectfully submitted,

BURCH, PORTER & JOHNSON, PLLC

/s/ Gary Scott Peeples
Jef Feibelman (BPR No. 7677)
Melissa A. Maravich (BPR No. 13876)

Gary Scott Peeples (BPR No. 32303)
130 North Court Avenue
Memphis, TN 38103
T: (901) 524-5000
F: (901) 524-5024
E: jfeibelman@bpjlaw.com
mmaravich@bpjlaw.com
gpeeples@bpjlaw.com

- and -

THE PROSSER LAW FIRM

/s/ Niel Prosser
Niel Prosser (BPR No. 11647)
Rob Clapper (BPR No. 34180)
Kyle Johnson (BPR No. 36066)
5865 Ridgeway Center Parkway, Suite 300
Memphis, TN 38120
T: (901) 820-4433
E: np@prosserlaw.com
rclapper@prosserlaw.com
kjohnson@prosserlaw.com

Attorneys for Raymond James

CERTIFICATE OF CONSULTATION

The undersigned hereby certifies that, pursuant to Local Rule 7.2(a)(1)(B), one of Raymond James's lawyers (Niel Prosser) attempted to consult with Defendant's lawyers (Michael McLaren and John Ryland) regarding the relief sought in the Motion. Mr. Prosser first attempted calling Mr. McLaren and Mr. Ryland regarding the Motion, but was unable to reach either of them. Mr. Prosser then called Mr. McLaren's office, and left a voice mail for Mr. McLaren regarding this Motion and whether his client consented to the relief being sought. Mr. Prosser subsequently emailed Mr. McLaren (with a copy to Mr. Ryland) regarding this Motion and whether his client consented to the relief being sought. That email further indicated that, if no response was received by 4:00 p.m., counsel for Raymond James would assume that Defendant does not consent to the relief sought. As of the filing, no response has been received, and, having heard nothing, Raymond James relies on the negative response and believes that Defendant does not consent to the relief sought herein. These attempts at consultation by Mr. Prosser occurred on May 15, 2020.

/s/ Gary Scott Peeples

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was filed using the Court's CM/ECF system on May 15, 2020, which will automatically send an electronic copy of the filing to all counsel of record in this case.

/s/ Gary Scott Peeples